



LIN 24/060

## **Migration (Subclass 462 (Work and Holiday) Visa Pre-application Process) Determination (LIN 24/060) 2024**

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I, Tony Burke, Minister for Immigration and Multicultural Affairs, make the following determination.

Dated 11 September 2024

Tony Burke  
Minister for Immigration and Multicultural Affairs

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## Part 1—Preliminary

### 1 Name

This instrument is the *Migration (Subclass 462 (Work and Holiday) Visa Pre-application Process) Determination (LIN 24/060) 2024*.

### 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	16 September 2024.	16 September 2024

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3 Authority

This instrument is made under subsection 46C(14) of the *Migration Act 1958*.

### 4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including visa pre-application process charge.

In this instrument:

*Act* means the *Migration Act 1958*.

**registered participant**, for a particular Subclass 462 (Work and Holiday) visa pre-application process, has the meaning given by section 8.

**registration open period**, for a particular Subclass 462 (Work and Holiday) visa pre-application process, means the period during which the process is open for registration.

Note: See also section 10 which is about requirements for registration open periods.

**selected participant**, for a particular Subclass 462 (Work and Holiday) visa pre-application process, has the meaning given by section 13.

***selection open period***, for a particular Subclass 462 (Work and Holiday) visa pre-application process, means the period during which selection of participants for the process may take place.

Note: See also section 14 which is about requirements for selection open periods.

***Subclass 462 visa pre-application process*** means a process specified under section 6.

## **Part 2—Rules for the conduct of visa pre-application process**

### **Division 1—Introduction**

#### **5 Purpose of this Part**

For the purposes of subsection 46C(14) of the Act, this Part sets out the rules that apply in relation to the conduct of a visa pre-application process that is specified in section 6.

#### **6 Specified visa pre-application process to which rules apply**

For the purposes of subsection 46C(14) of the Act, this instrument applies in relation to a visa pre-application process conducted under subsection 46C(1) of the Act in relation to a Subclass 462 (Work and Holiday) visa.

## **Division 2—Foreign country to which visa pre-application process relates**

### **7 Visa pre-application process must be in relation to a foreign country**

- (1) A Subclass 462 (Work and Holiday) visa pre-application process must be in relation to a single foreign country.

Note: Multiple Subclass 462 (Work and Holiday) visa pre-application processes can be conducted (see subsection 46C(10) of the Act), including concurrent processes in relation to different countries.

- (2) The Minister must cause the country to which a Subclass 462 (Work and Holiday) visa pre-application process relates to be published on the Department's website.

## Division 3—Registration of participants

### 8 Registered participants

A person is a *registered participant* for a particular Subclass 462 (Work and Holiday) visa pre-application process if the following requirements are met:

- (a) the person registers as a participant in that process using a computer program made available on the internet for that purpose;
- (b) the person is not already registered as a participant in that process;
- (c) the registration occurs within the registration open period for that process.

Note: Any visa pre-application process charge that is payable in respect of the registration must be paid at the time of registration: see subsection 46C(22) of the Act.

### 9 Eligibility requirements

The eligibility requirements for registration of a person as a registered participant in a particular Subclass 462 (Work and Holiday) visa pre-application process are all of the following:

- (a) the person holds a valid passport issued by the foreign country to which that process relates;
- (b) at the date of registration, the person is aged at least 18 and no more than 30.

### 10 Registration open period

- (1) A Subclass 462 (Work and Holiday) visa pre-application process must involve a finite registration open period for the process.
- (2) The Minister must cause the registration open period for the process, and any extension of the period, to be published on the Department's website.

### 11 Withdrawal of registration

A registered participant in a particular Subclass 462 (Work and Holiday) visa pre-application process may withdraw their registration as a participant in that process using a computer program made available on the internet for that purpose.

Note: A part of a visa pre-application process may be conducted by the use of a computer program under the Minister's control: see subsection 46C(11) of the Act.

### 12 Duration of registration

The registration of a person as a registered participant in a particular Subclass 462 (Work and Holiday) visa pre-application process lapses at the earliest of the following times:

- (a) the end of the selection open period for that process;
- (b) if the person is selected as a selected participant for that process—when the person is selected;



- (c) if the person withdraws their registration as a participant in that process—when the withdrawal is lodged;
- (d) if the person turns 31 years of age before the person is selected as a selected participant for that process—on the day the person turns 31;
- (e) if the person dies before the person is selected as a selected participant for that process—when the person dies.

## Division 4—Selection of registered participants

### 13 Selected participants

A person is a *selected participant* for a particular Subclass 462 (Work and Holiday) visa pre-application process if the person is randomly selected for that process by a computer program.

Note 1: The person must be a registered participant in that process: see subsection 46C(2) of the Act.

Note 2: A part of a visa pre-application process may be conducted by the use of a computer program under the Minister's control: see subsection 46C(11) of the Act.

### 14 Selection open period

- (1) A Subclass 462 (Work and Holiday) visa pre-application process must involve a finite selection open period for the process.
- (2) The Minister must cause the selection open period for the process, and any extension of the period, to be published on the Department's website.

### 15 Notice of selection

- (1) As soon as practicable after a person is selected as a selected participant for a particular Subclass 462 (Work and Holiday) visa pre-application process, the Minister must give the person notice in writing of the selection.
- (2) The notice must specify the date by which the person must make a valid visa application for a Subclass 462 (Work and Holiday) visa.